

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DAVID R. KNOLL,

Plaintiff,

v.

ORDER
02-CV-692

HAROLD SCHECTMAN,
BRIAN SCHECTMAN,
DONALD LARDER and
DONNA MUKULA,

Defendants.

This case was originally referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1), on January 14, 2003. On August 17, 2005, defendants Harold Schectman and Brian Schectman filed a motion to dismiss the amended complaint. *Pro se* defendants Donald Larder and Donna Mikula joined in that motion. On November 22, 2005, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendants' to dismiss the amended complaint be granted.

Plaintiff filed objections to the Report and Recommendation on December 2, 2005. Defendants filed a response thereto on January 19, 2006.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and

Recommendation, and after reviewing the submissions, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, the Court grants the defendants' motion to dismiss the amended complaint, and orders the Clerk of Court to take all steps necessary to close this case.

IT IS SO ORDERED.

/s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: March 28, 2006